

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 04-281 (MJD/JGL)

Plaintiff,

v.

O R D E R

JAVIER AMADOR-HERNANDEZ,

Defendant.

APPEARANCES

Jeff Paulsen, Esq., Assistant U.S. Attorney, on behalf of Plaintiff United States of America

Richard Malacko, Esq., on behalf of Defendant Javier Amador-Hernandez

Based upon the Report and Recommendation by Chief United States Magistrate Judge Jonathan Lebedoff dated July 27, 2005, all the files, records and proceedings herein, and no objections having been filed to that Report and Recommendation,

IT IS HEREBY ORDERED:

(1) Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 20) is **DENIED AS MOOT**;

(2) Defendant's Motion to Suppress Statements (Doc. No. 21) is **DENIED AS MOOT**;

(3) Defendant's Motion to Suppress All Identifications of Defendant Obtained Through Unlawful Identification Procedures (Doc. No. 22) is **DENIED AS MOOT**; and

(4) Defendant's Motion to Dismiss for Illegal Stop and Arrest (Doc. No. 23) is

DENIED AS MOOT;

Dated: August 24, 2005

s/ Michael J. Davis
MICHAEL J. DAVIS
United States District Court